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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,980	11/20/2001	Roger L. Bunting	2-5-4-3	4694

7590 04/03/2006

Docket Administrator (Room 3J-219)  
Lucent Technologies Inc.  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER
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NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/996,980

Applicant(s)

BUNTING ET AL.

Examiner

Toan D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The indicated allowability of claim 3 is withdrawn in view of the newly discovered reference(s) to Kulkarni et al. (US 5,862,481) and Thanh et al. (US 2004/0242186).

Rejections based on the newly cited reference(s) follow.

#### ***Claim Objections***

2. Claims 3, 8 and 10-12 are objected to because of the following informalities:

For claim 3 lines 1-2, it is suggested to change "which CAMEL-based subscriber information" to --- which the CAMEL-based subscriber information ---. Similar problems exist in claim 11 line 5; and claim 12 line 5.

For claim 8 line 1, it is suggested to change "a WIN" to --- a Wireless Intelligent Network ---. Similar problem exists in claim 10 line 1.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 7, 9, 10, 12, 15 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claims 7, 9, 10, 12, 15 and 17 provide for the use of a Customized Application for Mobile Enhanced Logic (CAMEL) based service (as set forth in claims 7 and 12), and a WIN base service (as set forth in claim 10), but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant

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is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

Claims 7, 9, 10, 12, 15 and 17 are rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd. v. Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

7. Claims 1-6, 8, 11 and 13-14 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1, 3, 6-7 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kulkarni et al. (US 5,862,481) in view of Thanh et al. (US 2004/0242186).

For claim 1, Kulkarni et al. disclose an interface (figure 5, reference GIP, col. 5 lines 23-24) operative to provide a GSM based service to a subscriber terminal (figure 5, reference ROAMING TERMINAL) in a network, the network being in accordance with the Wireless Intelligent Network (WIN) standard developed by ANSI-41, by causing the GSM based service to appear to the WIN network (figure 5, reference step 580, col. 7 lines 17-19).

However, Kulkarni et al. do not expressly disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard. In an analogous art, Thanh et al. disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard (figure 8, page 5, paragraph [0070] lines 9-11).

One skilled in the art would have recognized the CAMEL based service, and would have applied Thanh et al.'s mapping between OSA call control API and to CAMEL for the GSM/UMTS network in Kulkarni et al.'s GIP interworking. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Thanh et al.'s extended telecommunication system architecture for open service access in Kulkarni et al.'s inter-technology roaming proxy with the motivation being to provide application service access on multiple heterogeneous networks (page 1, paragraph [0001] lines 2-3).

For claim 3, Kulkarni et al. disclose in which GSM (CAMEL-based subscriber information means) is mapped to the WIN network (IS-41 means), the interface (figure 5, reference GIP) acting as a WIN home location register (HLR) (col. 6 lines 28-30).

For claim 6, Kulkarni et al. disclose the WIN network (IS-41 means), the interface (figure 5, reference GIP) and the subscriber terminal, the subscriber terminal being a GSM (CAMEL means) subscriber terminal which has roamed into the WIN network (col. 5 lines 23-24).

For claim 7, Kulkarni et al. disclose an interface (figure 5, reference GIP, col. 5 lines 23-24) operative to provide a GSM based service to a subscriber terminal (figure 5, reference ROAMING TERMINAL) in a network, the network being in accordance with the Wireless Intelligent Network (WIN) standard developed by ANSI-41, by causing the GSM based service to appear to the WIN network (figure 5, reference step 580, col. 7 lines 17-19).

However, Kulkarni et al. do not expressly disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard. In an analogous art, Thanh et al. disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard (figure 8, page 5, paragraph [0070] lines 9-11).

One skilled in the art would have recognized the CAMEL based service, and would have applied Thanh et al.'s mapping between OSA call control API and to CAMEL for the GSM/UMTS network in Kulkarni et al.'s GIP interworking. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Thanh et al.'s extended telecommunication system architecture for open service access in Kulkarni et al.'s inter-technology roaming proxy with the motivation being to provide application service access on multiple heterogeneous networks (page 1, paragraph [0001] lines 2-3).

For claim 11, Kulkarni et al. disclose an interface (figure 5, reference GIP, col. 5 lines 23-24) operative to provide a GSM based service to a subscriber terminal (figure 5, reference ROAMING TERMINAL) in a Wireless Intelligent Network (WIN) network, by causing the GSM based service to appear to the WIN network (figure 5, reference step 580, col. 7 lines 17-19), wherein GSM (CAMEL-based subscriber information means) is mapped to the WIN network (IS-41 means), the interface (figure 5, reference GIP) acting as a WIN home location register (HLR) (col. 6 lines 28-30).

However, Kulkarni et al. do not expressly disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard. In an analogous art, Thanh et al. disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard (figure 8, page 5, paragraph [0070] lines 9-11).

One skilled in the art would have recognized the CAMEL based service, and would have applied Thanh et al.'s mapping between OSA call control API and to CAMEL for the GSM/UMTS network in Kulkarni et al.'s GIP interworking. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Thanh et al.'s extended telecommunication system architecture for open service access in Kulkarni et al.'s inter-technology roaming proxy with the motivation being to provide application service access on multiple heterogeneous networks (page 1, paragraph [0001] lines 2-3).

For claim 12, Kulkarni et al. disclose a GSM based service to a subscriber terminal (figure 5, reference ROAMING TERMINAL) in a Wireless Intelligent Network (WIN) network comprising providing an interface (figure 5, reference GIP, col. 5 lines 23-24) causing the GSM based service to appear to the WIN network (figure 5, reference step 580, col. 7 lines 17-19), wherein GSM (CAMEL-based subscriber information means) is mapped to the WIN network (IS-41 means), the interface (figure 5, reference GIP) acting as a WIN home location register (HLR) (col. 6 lines 28-30).



However, Kulkarni et al. do not expressly disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard. In an analogous art, Thanh et al. disclose a Customized Application for Mobile Enhanced Logic (CAMEL) based service, and by causing the CAMEL based service as an Application in accordance with the Open Service Access (OSA) standard (figure 8, page 5, paragraph [0070] lines 9-11).

One skilled in the art would have recognized the CAMEL based service, and would have applied Thanh et al.'s mapping between OSA call control API and to CAMEL for the GSM/UMTS network in Kulkarni et al.'s GIP interworking. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Thanh et al.'s extended telecommunication system architecture for open service access in Kulkarni et al.'s inter-technology roaming proxy with the motivation being to provide application service access on multiple heterogeneous networks (page 1, paragraph [0001] lines 2-3).

11. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kulkarni et al. (US 5,862,481) in view of Itzkovitz et al. (US 2003/0165135).

For claim 8, Kulkarni et al. disclose an interface (figure 9, reference IGP, col. 8 lines 62-63) operative to provide a WIN based service (IS-41 means) to a subscriber terminal (figure 9, reference ROAMING TERMINAL) in a GSM network, the WIN based service being in accordance with the Wireless Intelligent Network (WIN) standard

developed by ANSI-41, by causing the WIN based service to appear to the GSM network (col. 9 lines 39-45).

However, Kulkarni et al. do not expressly disclose a Customized Application for Mobile Enhanced Logic (CAMEL) network, and a Customized Application for Mobile Enhanced Logic (CAMEL) application (CAP). In an analogous art, Itzkovitz et al. discloses a Customized Application for Mobile Enhanced Logic (CAMEL) network, and a Customized Application for Mobile Enhanced Logic (CAMEL) application (CAP) (page 5, paragraph [0061] line 4).

One skilled in the art would have recognized the Customized Application for Mobile Enhanced Logic (CAMEL) network, and the Customized Application for Mobile Enhanced Logic (CAMEL) application (CAP), and would have applied Itzkovitz et al.'s application adapter 64 in Kulkarni et al.'s IGP interworking. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Itzkovitz et al.'s interface for intelligent network services in Kulkarni et al.'s inter-technology roaming proxy with the motivation being to communicate with a CAMEL server 58 (page 5, paragraph [0061] lines 5-6).

For claim 10, Kulkarni et al. disclose an interface (figure 9, reference IGP, col. 8 lines 62-63) operative to provide a WIN based service (IS-41 means) to a subscriber terminal (figure 9, reference ROAMING TERMINAL) in a GSM network, the WIN based service being in accordance with the Wireless Intelligent Network (WIN) standard developed by ANSI-41, by causing the WIN based service to appear to the GSM network (col. 9 lines 39-45).

However, Kulkarni et al. do not expressly disclose a Customized Application for Mobile Enhanced Logic (CAMEL) network, and a Customized Application for Mobile Enhanced Logic (CAMEL) application (CAP). In an analogous art, Itzkovitz et al. discloses a Customized Application for Mobile Enhanced Logic (CAMEL) network, and a Customized Application for Mobile Enhanced Logic (CAMEL) application (CAP) (page 5, paragraph [0061] line 4).

One skilled in the art would have recognized the Customized Application for Mobile Enhanced Logic (CAMEL) network, and the Customized Application for Mobile Enhanced Logic (CAMEL) application (CAP), and would have applied Itzkovitz et al.'s application adapter 64 in Kulkarni et al.'s IGP interworking. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Itzkovitz et al.'s interface for intelligent network services in Kulkarni et al.'s inter-technology roaming proxy with the motivation being to communicate with a CAMEL server 58 (page 5, paragraph [0061] lines 5-6).

### ***Response to Arguments***

12. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

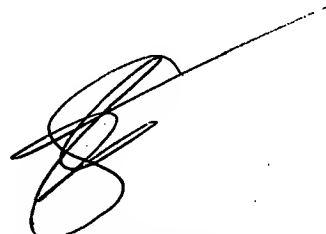
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN  
TN



STEVEN NGUYEN  
PRIMARY EXAMINER